

EXECUTIVE COUNCIL OF IOWA

AGENDA

November 5, 2012

1. Introduction of Attendees
2. Approval of minutes of meeting held October 29, 2012
3. Litigation Expense – Page 1
TAB # 1
4. Leases – Page 1
5. Payment of Cost Items – Pages 1 - 2
6. Renewal Memberships – Pages 2
TAB #'s 2 & 3

3. Litigation Expense Fund

- A. Request from the Attorney General's office on behalf of the Department of Revenue to expend \$60,000.00 from the Litigation Expense Fund during the second quarter of the 2013 fiscal year.

TAB # 1

4. Leases

- A. Lease between DNR and Guardian Holdings, LLC
Date of Lease: Five Year Lease Ending August 31, 2017
Legal Description: A portion of the Mississippi River bed having 28 feet of frontage with a depth of 58 feet located at River Mile 487.0 in the SW ¼ of Section 27, Township 78 North, Range 4 East of the 5th P.M. Scott County, Iowa.
Annual Fee: \$ 300.00
- B. Lease between DNR and Linwood Mining & Minerals Corporation
Date of Lease: Five Year Lease Ending June 30, 2017
Legal Description: A portion of the bed of the Mississippi River approximately 450 feet in frontage and 65 feet in depth at Mississippi River Mile 475.2, located in the NW ¼ of Section 24, Township 77 North, Range 2 East of the 5th P.M, Scott County, Iowa.
Annual Fee: \$2,700.00

David Dorff, Assistant Attorney General, has reviewed the above leases and approved the leases as to form.

5. Payment of Cost Items

- A. Department of Public Safety, Iowa State Patrol District Office.....\$52,810.00
On August 18, 2011 the Council Bluffs District Office sustained storm and hail damaged to the Atlantic State Radio and 20 vehicles. Requests are to cover repair costs.

The State Auditor's Office has reviewed the invoices and recommends payment.

- B. Iowa Communications Network \$10,378.37
On or about May 24, 2012 ICN determined cable damage due to erosion in Jefferson County along the South Bank of the Cedar Creek at Highway 1.

The State Auditor's Office has reviewed the invoices and recommends payment. This represents full and final payment, \$878.23 will be reverted and this allocation will be closed.

- C. Coppola, McConville, Coppola, Hockenberg & Scalise, P.C.....\$524.00
2100 Westown Parkway, Suite 210
West Des Moines, IA 50265-1539
Campaign Contributions from Fort Dodge Gambling Interests to Governor
Culver

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment.

- D. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$72.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various
agencies

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Economic Development Authority.

6. Renewal Memberships

- A. Education in Council of Chief State School Officers in the amount of \$45,000.00 for July 1, 2012 - June 30, 2013. (Previous amount was \$45,000.00.) Other agencies: No: Funding Source: State General Fund
TAB # 2
- B. Education in National Association of State Boards of Education in the amount of \$32,785.00 for July 1, 2012 - June 30, 2013. (Previous amount was \$35,285.00.) Other agencies: No: Funding Source: State General Fund
TAB # 3
- C. Human Services in Association for Challenge Course Technology in the amount of \$275.00 for October 26, 2012 - October 25, 2013. (Previous amount was \$275.00.) Other agencies: No: Funding Source: State General Fund
- D. Secretary of State in NASED - Nat'l Association of State Election Directors in the amount of \$415.00 for January 2013 - December 2013. (Previous amount was \$415.00.) Other agencies: No: Funding Source: State General Fund
- E. Vocational Rehabilitation in Clear Lake Area Chamber of Commerce in the amount of \$100.00 for October 1, 2012 - October 1, 2013. (Previous amount was \$100.00.) Other agencies: Yes: Iowa Workforce Development Funding Source: State General Fund 21%, Federal Funds 79%



TAB # 1

THOMAS J. MILLER
ATTORNEY GENERAL

JULIE F. POTTORFF
DEPUTY ATTORNEY GENERAL

Address Reply To:
1305 E. Walnut Street
Des Moines, Iowa 50319

Telephone: 515/281-3349
Fax: 515/281-4209
Julie.Pottorff@iowa.gov

Iowa Department of Justice

October 30, 2012

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Litigation Expense Fund

Dear GeorgAnna:

On behalf of the Department of Revenue, Assistant Attorney General Jim Miller requests authorization to expend monies from the Litigation Expense Fund pursuant to Iowa Code section 441.73 in the second quarter of the 2013 fiscal year. The Department started the 2013 fiscal year with a balance of \$681,671.24 which includes a transfer of \$200,000 into the Fund as authorized by the Executive Council in June, 2012. From July 1 through September 30, 2012, the Department expended \$17,261.27.

Litigation expenses in the second quarter of the 2013 fiscal will involve a petition for judicial review in Cable One, Inc., challenging an adverse ruling from the State Board of Tax Review, oral arguments before the Iowa Supreme Court in an appeal with Qwest, a contested case hearing with a constitutional challenge to the replacement tax under Iowa Code chapter 437A, and a number of appeals by small telephone companies challenging the valuation of their property. Litigation fees and expenses are estimated at \$60,000.

The Department, therefore, requests authorization to expend \$60,000 from the Litigation Expense Fund in order to cover estimated litigation fees and expenses for the second quarter of the 2013 fiscal year.

Sincerely,

A handwritten signature in cursive script that reads "Julie F. Pottorff".

JULIE F. POTTORFF
Deputy Attorney General

Executive Council of Iowa
Capitol Building
Des Moines, Iowa 50319
Phone: 515 281-5368
FAX: 515 281-7562

TAB # 2

RECEIVED

OCT 29 2012

IOWA DEPT OF
MANAGEMENT

REQUEST FOR MEMBERSHIP APPROVAL

DEPARTMENT REQUESTING MEMBERSHIP: Iowa Department of Education

NAME OF ORGANIZATION: Council of Chief State School Officers

NEW MEMBERSHIP ☐ **RENEWAL** ☒ **MEMBERSHIP PERIOD:** 07/01/12 to 06/30/13
(Beginning and ending dates)

MEMBERSHIP FEE OR DUES AMOUNT \$ 45,000

Funding Source: State General Fund ☒ Other State Funds ☐

Federal Funds ☐ **Other Funds** ☐

If Renewal, previous year amount. \$ 45000

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? ☐ Yes ☒ No

WILL THIS MEMBERSHIP REQUIRE OUT-OF-STATE TRAVEL? ☒ Yes ☐ No

If yes, list the anticipated number of trips per year and their purpose: There are generally four trips each year including summer and fall institutes for Chief State School Officers and one meeting on federal legislative issues.

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT.

This membership provides networking among state education agencies, access to program support, and access to grants from private foundations.

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

The department is better able to support school improvement efforts in local districts and is better able to organize support for federal programs by virtue of this membership.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION: We receive regular updates on congressional activity and a weekly electronic briefing. We also receive information relating to national education issues from special groups because of this membership.

Requested by:

(Department Head Signature)

Date: 10/24/2012

Phone: 515.281.3968

E-mail: jeff.berger@iowa.gov

DOM: Approval ☒ Disapproval ☐

Signature

(Signature)

Date 11/1/12

Executive Council of Iowa
Capitol Building
Des Moines, Iowa 50319
Phone: 515 281-5368
FAX: 515 281-7562

TAB # 3 RECEIVED
OCT 29 2012
IOWA DEPT. OF
MANAGEMENT

REQUEST FOR MEMBERSHIP APPROVAL

DEPARTMENT REQUESTING MEMBERSHIP: Education

NAME OF ORGANIZATION: National Association of State Boards of Education

NEW MEMBERSHIP ☐ RENEWAL ☒ MEMBERSHIP PERIOD: 07/01/12 to 06/30/13
(Beginning and ending dates)

MEMBERSHIP FEE OR DUES AMOUNT \$ 32,785

Funding Source: State General Fund ☒ Other State Funds ☐

Federal Funds ☐ Other Funds ☐

If Renewal, previous year amount. \$ 35,285

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? ☐ Yes ☒ No

WILL THIS MEMBERSHIP REQUIRE OUT-OF-STATE TRAVEL? ☒ Yes ☐ No

If yes, list the anticipated number of trips per year and their purpose: There are generally about five trips each year for State Board of Education members including annual conferences and meetings for subcommittees that members are named.

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:

NASBE provides extensive information and services to state boards including policy updates, issue briefs and legislative briefs.

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

The information provided by NASBE helps board members in their policy making capacity. It provides the most current information about issues the board and department are dealing with and supports the goals of our strategic plan.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION: Board members receive monthly packets of information. NASBE staff also have facilitated meetings and retreats for the board and assist us with research on emerging education topics.


Requested by: 
(Department Head Signature)

Date: 10/24/12

Phone: 515.281.3968

E-mail: jeff.berger@iowa.gov

DOM: Approval ☒ Disapproval ☐

Signature  Date 11/1/12